

REMARKS

This communication is in response to the final Office Action dated April 9, 2008 and is accompanied by a Request for Continued Examination (RCE). Further, this communication follows an interview between Examiner Azad and Applicant's representative Chris J. Volkmann conducted on June 5, 2008. Applicant respectfully thanks the Examiner for his time and consideration in conducting the interview.

In the final Office Action, claim 1-38 were pending and were rejected. With this Amendment, claims 1, 6, 8, 10-14, 19, 20, 23, 24, and 27 have been amended and claims 2-4 and 30-31 have been cancelled. For at least the reasons that follow, reconsideration and allowance are respectfully requested.

I. Summary of the Interview

During the Examiner Interview conducted on June 5, 2008, Applicant's representative Chris J. Volkmann and Examiner Azad discussed independent claims 1, 19, and 27 and the cited Glynn reference. The Examiner indicated that the amendments presented herein would overcome the rejections of the claims under 35 USC § 102 & § 103. For at least this reason, it is respectfully submitted that the present claims, as amended, are neither taught nor suggested by the cited reference and are in allowable form.

Additionally, during the Interview the rejection of claim 1 under 35 USC § 101 was discussed. Further, the Examiner also raised a §101 concern with respect to independent claim 19. Herewith, Applicant has amended the preambles of independent claims 1 and 19 as suggested by the Examiner to overcome the rejection of the claims under 35 USC § 101.

II. Claim Rejections -35 USC § 101

On page 2, claims 1-18 were rejected under 35 U.S.C. 101 as being allegedly directed to non-statutory subject matter. Herewith, independent claim 1 has been amended in accordance with the suggestion provided by the Examiner during the Interview. It is submitted that each of claims 1-18 are directed to statutory subject matter. Withdrawal of the rejection under §101 is respectfully requested.

III. Claim Rejections -35 USC § 102 & § 103

On page 3, claims 1, 2, 4-18, 27-29 and 31-38 were rejected under 35 U.S.C. 102(e) as being anticipated by Glynn (US 2004/0019476). On page 6, claims 3, 19-26 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Glynn (US 2004/0019476).

As mentioned above, the amendments presented herein with respect to independent claims 1, 19 and 27 were indicated by the Examiner during the interview as overcoming the present rejection of the claims. For at least this reason, it is respectfully submitted that independent claims 1, 19, and 27 are neither taught nor suggested by the cited reference, and are in allowable form. Further, it is submitted that related dependent claims 2, 5-29, and 32-38 are also in allowable form at least based on their relation to independent claims 1, 19, and 27.


IV. Conclusion

For at least the reasons discussed above, Applicant respectfully submits that all pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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